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# Hazard Communication Program

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USDA  
Departmental Administration  
Office of Operations

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# HAZARD COMMUNICATION PROGRAM

## I. Purpose

Approximately 32 million workers are potentially exposed to one or more chemical hazards on a daily basis. There are an estimated 575,000 existing chemical products and hundreds of new ones are introduced annually. The potential exposure to these chemical products poses a serious problem for exposed workers and their employers. The Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard, 29 CFR 1910.1200, (hereafter referred to as "the Standard") establishes uniform requirements to make sure the hazards of all chemicals imported into, produced, or used in United States workplaces are evaluated and that all hazard information is communicated to affected employees.

The use of potentially hazardous chemicals is an integral part of the operation of a number of functions within the Office of Operations (OO). Certain activities (e.g., welding and sanding) can also generate products which may become sources of exposure to hazardous chemicals. This hazard communication program is based on the principle that employees have both a need and a right to know the identities and hazards of the chemicals to which they are exposed while performing their official duties. They also need to know what protective measures are available to prevent adverse effects that these materials may cause if not handled properly and how to recognize the symptoms of overexposure. This hazard communication program is designed to ensure that employees are provided with the information they need to protect themselves from undue risks of exposure.

## II. Scope and Applicability

The principles and guidelines of this program shall apply to all OO Federal and contract employees within the National Capital Region (NCR) who routinely or periodically use chemical products in the course of their official duties.

This program applies to any hazardous chemical known to be present in the workplace to which employees may be exposed under normal conditions of use or in a foreseeable emergency.

## III. Responsibilities

A. OO Occupational Safety and Health Services (OSHS) Personnel shall:

- Ensure that all employees to whom this program applies are aware of their roles and responsibilities under the program.
- Annually review the written program, seeking input from employees to whom it applies, and revise as necessary.
- Provide overview training to Division Directors, Branch Chiefs, other supervisors, and employees to familiarize them with their responsibilities under the Standard.
- Maintain current copies of the Standard and this written program.
- Review container labeling practices during routine inspections.

- Provide assistance with training, inventories, and labeling; labeling materials; and other support, as requested.

B. Supervisors shall:

- Ensure that the hazards of all chemicals used within their areas of supervision are evaluated and that information concerning the hazards associated with the chemicals are communicated to all employees within that work area.
- Familiarize themselves with the contents and requirements of the Standard and this program. Maintain current copies of this program in their work area(s).
- Generate and maintain an accurate and up-to-date inventory of all hazardous chemicals used in their work area(s). (See Appendices A and B of this program for guidance in hazard determination.) Provide a current inventory list to the OSHS at the end of each quarter and whenever there is a change to the inventory list.
- Ensure that all chemicals brought into the work area(s) are properly labeled and accompanied by current material safety data sheets (MSDSs), and that the MSDSs are readily available to employees in their work area(s) throughout each work shift.
- **Train all employees under their supervision on the hazards associated with the specific chemicals utilized in their work area(s), how to protect themselves from the risks of exposure, how to recognize the signs and symptoms of exposure, and procedures to follow in the event of a spill or accidental release.** Training shall be given at the time of initial assignment, and whenever a new chemical is introduced into the work area.
- Maintain records of training. Records should document the content and date of the training, and be signed by the employee and the trainer.
- Make sure employees read and understand the MSDS and label for any new chemical introduced into the work area.
- Provide appropriate personal protective equipment (PPE), as required by the MSDS, and **train** employees in the proper use and maintenance of that equipment.
- Develop written procedures for non-routine tasks (e.g., cleaning or repair of contaminated equipment), and **train** employees in how to protect themselves from chemical exposure while performing these tasks.
- Develop written spill response plans for materials in their work area(s). Ensure that adequate and appropriate cleanup materials are readily available for minor spills and releases, and that employees are trained in their use.
- Periodically review the work area(s) to ensure that all chemical containers are properly marked and labeled.
- Review current chemical use and investigate the feasibility of utilizing effective but less hazardous alternatives.

C. Employees shall:

- Familiarize themselves with their responsibilities under the Standard and this program.
- **Read and understand the MSDS and label** for any chemical utilized during the performance of official duties **before** using that chemical for the first time, and periodically thereafter.
- Properly utilize all appropriate PPE, and maintain it in good order.
- Correctly and adequately label all new containers when transferring material from a labeled container into another container.
- Maintain all chemical container markings and labels in a legible form. Report any defaced or illegible container markings to the supervisor.
- Become familiar with the proper procedures to follow in the event of a chemical spill or accidental release.
- Provide feedback and input to supervisors and/or S&EB personnel for improvements to the written program.

#### IV. Program

A. Labels and Other Forms of Warning

All containers of hazardous chemicals, whether original or secondary containers, are required to be marked, tagged, or labeled with the following specific information:

- identify of the hazardous chemical(s) in the container;
- the name and address of the chemical manufacturer, importer, or other responsible party; and
- appropriate hazard warnings. These may be in the form of words, pictures, symbols, or any combination which provides at least general information on the hazards of the chemical, and which, together with other information immediately available to the employees (e.g., MSDSs), will provide them with the specific information they need to protect themselves from the physical and health hazards associated with the chemical.

When material is transferred from an original marked container into another container, all of the above information **must** be transferred to the new container. The only hazardous chemical container not required to be labeled with all of this information is one which contains material transferred from a labeled container for immediate use (i.e., within the same work shift) and remains in the control of and is used only by the individual who originally transferred the material.

OO relies on the manufacturers' labels for handling and hazard information; we do not utilize a separate system for container labeling. Supervisors and employees must ensure that all incoming containers are adequately marked or labeled, and that the

manufacturer's labels remain legible and are not removed or defaced until the container is empty.

All labels and other forms of warning must be in English and prominently displayed on the container. If there are employees in the work area who speak other languages, the required information may be added in their language as well. However, the additional information may not replace or obscure the English version. OSHA personnel will provide labeling materials for secondary containers and assistance with labeling information, as requested.

### Mixtures

The MSDSs of the chemicals used to create the mixture shall be consulted to determine labeling requirements. If a mixture has not been tested as a whole to determine if it is a health hazard, then the mixture shall be assumed to present the same health hazards as do the constituent components which comprise 1% (by weight or volume) or more of the mixture. Data such as that provided by the MSDS should be used to evaluate the physical hazard potential of the mixture.

## B. Material Safety Data Sheets

The most important information in the MSDS is that which alerts the user to the hazards of the chemical, how to protect against the unnecessary risk of exposure, and what to do in the event of an emergency. Obviously, it's best to know all of this **before** the material is used or a spill occurs. Therefore, all chemical users are required to familiarize themselves with the MSDSs of any chemical they use **before using the material for the first time**. No hazardous chemical may be used until the MSDS has been received, reviewed, and understood by the user.

Copies of current MSDSs for all hazardous chemicals will be maintained and made available to all employees in their respective work areas. Additionally, a current inventory of the hazardous chemicals present in each work area will be maintained with the MSDSs.

If an MSDS does not accompany the initial shipment of a hazardous chemical and is not received within 5 days, the purchaser will forward a letter to the vendor requesting the required MSDS (see Appendix C of this program for a sample letter).

If a hazardous chemical is purchased from a retail distributor who is not required to have an MSDS on file (i.e., the distributor does not have commercial accounts and does not use the material), the purchaser shall obtain from the distributor the name, address, and telephone number of the chemical manufacturer or distributor from whom an MSDS can be obtained.

Each MSDS shall be in English, although copies in other languages may also be maintained. The required contents of an MSDS are specified in 29 CFR 1910.1200 (g)(2)(i) through (xi).

## C. Contract and Other Non-Federal Employees

When contract or other non-Federal employees perform work within USDA facilities, the principle Agency contact will advise those employees and their in-house representatives

of any chemical hazards that may be encountered in the normal course of their work on the premises, the labeling system in use (in most cases, this will be the manufacturer's label), the protective measures to be taken, the safe handling procedures to be used, and the location of applicable MSDSs.

**Any contractor bringing chemicals on-site must provide the S&EB (through the contracting Agency contact) with copies of the MSDSs and all other hazard information on these materials, including the labeling system used and precautionary measures to be taken when working with the materials.**

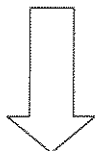
#### D. Spills and Accidental Releases

Despite all precautions, spills and accidental releases of chemicals may occur. When this happens, it must be immediately reported to the area supervisor and the S&EB. Employees in the area of the spill must then be notified of the spill and move to a safe area. Remember, even a small spill can result in harmful exposure or pose hazards that are not immediately obvious.

There are two types of spills: *simple spills*, which can be cleaned up by properly trained employees, and *complex spills*, which require outside professional assistance. The diagram below can help determine if what has occurred is a "simple spill".

Does it meet ALL three criteria of a Simple Spill?
<p><b>1. Does not spread rapidly.</b></p> <ul style="list-style-type: none"><li>▶ Spill or toxic vapors are not spreading beyond the immediate area.</li></ul>
<p><b>2. Does not endanger people or property except by direct contact.</b></p> <ul style="list-style-type: none"><li>▶ A person has not been injured in the incident.</li><li>▶ A fire is not present or an explosion has not occurred.</li><li>▶ The identify of the spilled chemical is known.</li><li>▶ Flammable vapors and ignition sources are not present.</li><li>▶ Toxic vapors or dusts (i.e., inhalation hazards) are not present.</li><li>▶ The spilled chemical is not a strong oxidizer.</li><li>▶ The spilled chemical is not air, water, or otherwise highly reactive.</li></ul>
<p><b>3. Does not endanger the environment</b></p> <ul style="list-style-type: none"><li>▶ There is no risk of the spilled chemical entering a sewer or contaminating soils.</li></ul>

YES



NO



Simple Spill		Get Help: This is NOT a Simple Spill
<p>You can clean up yourself <i>if</i>:</p> <ul style="list-style-type: none"> <li>▶ you have been trained in spill response, cleanup, and disposal and are comfortable doing it;</li> <li>▶ spill cleanup equipment is available;</li> <li>▶ PPE is available and you have been trained in its use; and</li> <li>▶ you can complete the cleanup in a normal workday.</li> </ul>		<p>You probably need the help of trained hazardous material response personnel.</p>

Each work area supervisor shall develop written spill response procedures for materials used in the work area. Spill procedures should detail the initial steps to take when a spill occurs and include such essentials as employee responsibilities, communication methods, instructions on using spill response equipment, and spill cleanup and residue disposal. These materials often must be disposed of as hazardous waste. Communicate these procedures to all individuals who use chemicals or might be called upon to assist with a spill cleanup. The procedures should be reviewed periodically and updated as needed. Before starting work with chemicals, employees should verify that all necessary safety equipment and spill cleanup materials are available and in good working order. Supervisors must ensure that individuals who may be involved in spill response are properly trained in equipment use and spill cleanup procedures. Materials and equipment should be inspected regularly to ensure that they will be available and operative when needed.

## V. Employee Information and Training

Information on hazards and protective measures are provided through written labels and MSDSs. However, only through effective information and training will workers learn how to read and understand that information, determine how it can be obtained and used in their workplaces, understand the risks of exposure to the chemicals in their workplaces, and know how to protect themselves.

OO supervisors subject to this program will provide their employees with effective information and training on hazardous chemicals in their work areas at the time of their initial assignment and whenever a new hazardous chemical is introduced into the work area. Training may be done either on individual chemicals or on the basis of hazard categories (e.g., flammable liquids, corrosive materials, carcinogens). However, chemical-specific information must always be available on labels and MSDSs.

Training must be conducted by someone qualified and capable of answering employee questions. The most important aspects of training under this program are to ensure that employees are *aware* that they are exposed to hazardous chemicals, that they know how to *read and use labels and MSDSs*, and that, as a consequence of learning this information, they are *following the appropriate protective measures*. Therefore, supervisors must ensure that the following information is **effectively communicated** to their employees:

- the requirements of the Standard;



- any operations in their work area where hazardous chemicals are present and the identify of those chemicals;
- the physical and health hazards of the hazardous chemicals in their work area;
- the primary routes of entry (i.e., inhalation, absorption, ingestion) of the chemical;
- measures they can take to protect themselves from these hazards, including specific procedures that have been implemented in their work areas such as appropriate work practices (both routine and non-routine), PPE, and emergency procedures;
- methods used to detect the presence or release of a hazardous chemical in the work area (e.g., visual appearance or odor of hazardous chemicals when they're released; personal or area monitoring, if applicable);
- OSHA's permissible exposure limit (PEL), ACGIH's threshold limit value (TLV), or any other exposure limit used or recommended by the chemical manufacturer;
- how to recognize the signs and symptoms of overexposure, and any medical conditions that maybe aggravated by exposure to chemicals in their work area;
- emergency spill response and first aid procedures;
- the location and availability of copies of the Standard and this written hazard communication program, including the list of hazardous chemicals and required MSDSs; and
- the contents of this written program, including an explanation of how to utilize information on labels, markings, and MSDSs to protect themselves from chemical hazards.

Training may be provided by whatever means are appropriate and effective. Training shall be documented on a USDA "Certificate of Training" and a record maintained by the supervisors.

## **VI. References and Authorities**

29 CFR 1910.1200: Hazard Communication  
 29 CFR 1910.1200, Appendix A: Health Hazard Definitions  
 29 CFR 1910.1200, Appendix B: Hazard Determination  
 29 CFR 1960: Basic Program Elements for Federal Employee Occupational Safety and Health Programs

## **VII. Abbreviations and Definitions**

### Abbreviations

ACGIH	American Conference of Governmental Industrial Hygienists
CFR	Code of Federal Regulations
MSDS	Material Safety Data Sheet
OO	Office of Operations
OSHA	Occupational Safety and Health Administration
OSHS	Occupational Safety and Health Services

PEL	Permissible exposure limit
PPE	Personal protective equipment
TLV	Threshold limit value

### Definitions

[Note: Additional definitions applicable to the Standard can be found in 29 CFR 1910.1200(c) and 1910.1200 Appendix A.]

*Chemical:* any element, chemical compound, or mixture of elements and/or compounds, including liquids, solids, gases, vapors, fumes, and mists

*Container:* any bag, barrel, bottle, can, cylinder, drum, or the like that contains a hazardous chemical

*Employee:* a worker who may be exposed to hazardous chemicals under normal operating conditions or in foreseeable emergencies

*Exposure or exposed:* an employee is subjected to a hazardous chemical in the course of employment through any route of entry (e.g., ingestion, skin contact, or absorption), and includes potential (e.g., accidental or possible) exposure

*Foreseeable emergency:* any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment that could result in an uncontrolled release of a hazardous chemical into the workplace

*Hazardous chemical:* any chemical this is a physical hazard or a health hazard

*Health hazard:* any chemical for which there is statistically significant evidence based on valid scientific data that acute or chronic health effects may occur in exposed employees (e.g., carcinogens, corrosive materials, and irritants)

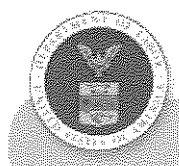
Additional definitions of terms related to health hazards can be found in 29 CFR 1910.1200, Appendix A.

*Immediate use:* the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container, and only within the work shift in which it is transferred

*Label:* any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals

*Physical hazard:* any chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive

*Work area:* a room or defined space in a workplace where hazardous chemicals are used and where employees are present



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Regulations (Standards - 29 CFR)

## Health Hazard Definitions (Mandatory) - 1910.1200 App A

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• <b>Part Number:</b>	1910
• <b>Part Title:</b>	Occupational Safety and Health Standards
• <b>Subpart:</b>	Z
• <b>Subpart Title:</b>	Toxic and Hazardous Substances
• <b>Standard Number:</b>	1910.1200 App A
• <b>Title:</b>	Health Hazard Definitions (Mandatory)

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Although safety hazards related to the physical characteristics of a chemical can be objectively defined in terms of testing requirements (e.g. flammability), health hazard definitions are less precise and more subjective. Health hazards may cause measurable changes in the body - such as decreased pulmonary function. These changes are generally indicated by the occurrence of signs and symptoms in the exposed employees - such as shortness of breath, a non-measurable, subjective feeling. Employees exposed to such hazards must be apprised of both the change in body function and the signs and symptoms that may occur to signal that change.

The determination of occupational health hazards is complicated by the fact that many of the effects or signs and symptoms occur commonly in non-occupationally exposed populations, so that effects of exposure are difficult to separate from normally occurring illnesses. Occasionally, a substance causes an effect that is rarely seen in the population at large, such as angiosarcomas caused by vinyl chloride exposure, thus making it easier to ascertain that the occupational exposure was the primary causative factor. More often, however, the effects are common, such as lung cancer. The situation is further complicated by the fact that most chemicals have not been adequately tested to determine their health hazard potential, and data do not exist to substantiate these effects.

There have been many attempts to categorize effects and to define them in various ways. Generally, the terms "acute" and "chronic" are used to delineate between effects on the basis of severity or duration. "Acute" effects usually occur rapidly as a result of short-term exposures, and are of short duration. "Chronic" effects generally occur as a result of long-term exposure, and are of long duration.

The acute effects referred to most frequently are those defined by the American National Standards Institute (ANSI) standard for Precautionary Labeling of Hazardous Industrial Chemicals (Z129.1-1988) - irritation, corrosivity, sensitization and lethal dose. Although these are important health effects, they do not adequately cover the considerable range of acute effects which may occur as a result of occupational exposure, such as, for example, narcosis.

Similarly, the term chronic effect is often used to cover only carcinogenicity, teratogenicity, and mutagenicity. These effects are obviously a concern in the workplace, but again, do not adequately cover the area of chronic effects, excluding, for example, blood dyscrasias (such as anemia), chronic bronchitis and liver atrophy.

The goal of defining precisely, in measurable terms, every possible health effect that may occur in the workplace as a result of chemical exposures cannot realistically be accomplished. This does not negate the need for employees to be informed of such effects and protected from them. Appendix B, which is also mandatory, outlines the principles and procedures of hazard assessment.

For purposes of this section, any chemicals which meet any of the following definitions, as determined by the criteria set forth in Appendix B are health hazards. However, this is not intended to be an exclusive categorization scheme. If there are available scientific data that involve other animal species or test methods, they must also be evaluated to determine the applicability of the HCS.

1. "Carcinogen:" A chemical is considered to be a carcinogen if:

(a) It has been evaluated by the International Agency for Research on Cancer (IARC), and found to be a carcinogen or potential carcinogen; or

(b) It is listed as a carcinogen or potential carcinogen in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or,

(c) It is regulated by OSHA as a carcinogen.

2. "Corrosive:" A chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. For example, a chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described by the U.S. Department of Transportation in appendix A to 49 CFR part 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term shall not refer to action on inanimate surfaces.

3. "Highly toxic:" A chemical falling within any of the following categories:

(a) A chemical that has a median lethal dose (LD(50)) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

(b) A chemical that has a median lethal dose (LD(50)) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

(c) A chemical that has a median lethal concentration (LC(50)) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume, or dust,

when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

4. "Irritant:" A chemical, which is not corrosive, but which causes a reversible inflammatory effect on living tissue by chemical action at the site of contact. A chemical is a skin irritant if, when tested on the intact skin of albino rabbits by the methods of 16 CFR 1500.41 for four hours exposure or by other appropriate techniques, it results in an empirical score of five or more. A chemical is an eye irritant if so determined under the procedure listed in 16 CFR 1500.42 or other appropriate techniques.

5. "Sensitizer:" A chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

6. "Toxic." A chemical falling within any of the following categories:

(a) A chemical that has a median lethal dose (LD(50)) of more than 50 milligrams per kilogram but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

(b) A chemical that has a median lethal dose (LD(50)) of more than 200 milligrams per kilogram but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

(c) A chemical that has a median lethal concentration (LC(50)) in air of more than 200 parts per million but not more than 2,000 parts per million by volume of gas or vapor, or more than two milligrams per liter but not more than 20 milligrams per liter of mist, fume, or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.


7. "Target organ effects."


The following is a target organ categorization of effects which may occur, including examples of signs and symptoms and chemicals which have been found to cause such effects. These examples are presented to illustrate the range and diversity of effects and hazards found in the workplace, and the broad scope employers must consider in this area, but are not intended to be all-inclusive.

- a. Hepatotoxins: Chemicals which produce liver damage  
Signs & Symptoms: Jaundice; liver enlargement  
Chemicals: Carbon tetrachloride; nitrosamines
- b. Nephrotoxins: Chemicals which produce kidney damage  
Signs & Symptoms: Edema; proteinuria  
Chemicals: Halogenated hydrocarbons; uranium
- c. Neurotoxins: Chemicals which produce their primary toxic effects on the nervous system  
Signs & Symptoms: Narcosis; behavioral changes; decrease in motor functions  
Chemicals: Mercury; carbon disulfide

- d. Agents which act on the blood or hemato-poietic system: Decrease hemoglobin function; deprive the body tissues of oxygen  
Signs & Symptoms: Cyanosis; loss of consciousness  
Chemicals: Carbon monoxide; cyanides
- e. Agents which damage the lung: Chemicals which irritate or damage pulmonary tissue  
Signs & Symptoms: Cough; tightness in chest; shortness of breath  
Chemicals: Silica; asbestos
- f. Reproductive toxins: Chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis)  
Signs & Symptoms: Birth defects; sterility  
Chemicals: Lead; DBCP
- g. Cutaneous hazards: Chemicals which affect the dermal layer of the body  
Signs & Symptoms: Defatting of the skin; rashes; irritation  
Chemicals: Ketones; chlorinated compounds
- h. Eye hazards: Chemicals which affect the eye or visual capacity  
Signs & Symptoms: Conjunctivitis; corneal damage  
Chemicals: Organic solvents; acids

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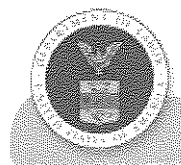
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Regulations (Standards - 29 CFR)

## Hazard determination (Mandatory) - 1910.1200 App B

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• <b>Part Number:</b>	1910
• <b>Part Title:</b>	Occupational Safety and Health Standards
• <b>Subpart:</b>	Z
• <b>Subpart Title:</b>	Toxic and Hazardous Substances
• <b>Standard Number:</b>	1910.1200 App B
• <b>Title:</b>	Hazard determination (Mandatory)

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The quality of a hazard communication program is largely dependent upon the adequacy and accuracy of the hazard determination. The hazard determination requirement of this standard is performance-oriented. Chemical manufacturers, importers, and employers evaluating chemicals are not required to follow any specific methods for determining hazards, but they must be able to demonstrate that they have adequately ascertained the hazards of the chemicals produced or imported in accordance with the criteria set forth in this Appendix.

Hazard evaluation is a process which relies heavily on the professional judgment of the evaluator, particularly in the area of chronic hazards. The performance-orientation of the hazard determination does not diminish the duty of the chemical manufacturer, importer or employer to conduct a thorough evaluation, examining all relevant data and producing a scientifically defensible evaluation. For purposes of this standard, the following criteria shall be used in making hazard determinations that meet the requirements of this standard.

1. "Carcinogenicity:" As described in paragraph (d)(4) of this section and Appendix A of this section, a determination by the National Toxicology Program, the International Agency for Research on Cancer, or OSHA that a chemical is a carcinogen or potential carcinogen will be considered conclusive evidence for purposes of this section. In addition, however, all available scientific data on carcinogenicity must be evaluated in accordance with the provisions of this Appendix and the requirements of the rule.

2. "Human data:" Where available, epidemiological studies and case reports of adverse health effects shall be considered in the evaluation.


3. "Animal data:" Human evidence of health effects in exposed populations is generally not available for the majority of chemicals produced or used in the workplace. Therefore, the available results of toxicological testing in animal populations shall be used to predict the health effects that may be experienced by exposed workers. In particular, the definitions of certain acute hazards refer to specific animal testing results (see Appendix A).


4. "Adequacy and reporting of data." The results of any studies which are designed and

conducted according to established scientific principles, and which report statistically significant conclusions regarding the health effects of a chemical, shall be a sufficient basis for a hazard determination and reported on any material safety data sheet. In vitro studies alone generally do not form the basis for a definitive finding of hazard under the HCS since they have a positive or negative result rather than a statistically significant finding.

The chemical manufacturer, importer, or employer may also report the results of other scientifically valid studies which tend to refute the findings of hazard.

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Washington, DC 20210



## Appendix C: Sample MSDS Request Letter

Date

XYZ Manufacturing Company  
1234 Street  
Anytown, USA 12345

To Whom It May Concern:

The Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard (29 CFR 1910.1200) requires that chemical manufacturers and importers provide a material safety data sheet (MSDS) for each hazardous chemical they produce or import. Employers are required to make these MSDSs available to employees potentially exposed to these hazardous substances in the workplace.

A copy of the MSDS was not received with the recent shipment of your product listed as stock number (or product) \_\_\_\_\_. Therefore, I am requesting that a copy of the most recent MSDS be sent to my attention as soon as possible. I am also requesting that any additional information, supplemental MSDSs, or other relevant data that your company or supplier has concerning the safety and health aspects of this product be included with the submittal of the MSDS. The information may be sent to the address below. The MSDS and any other relevant information should be sent within 10 days. Delays may prevent use of your product. Please be advised that if the MSDS for the chemical product is not received by \_\_\_\_\_, OSHA will be notified of our inability to obtain this required information.

Please consider this letter as a standing request to your company for any information concerning the safety and health aspects of this product that may become known in the future.

Your cooperation is greatly appreciated. Thank you for your timely response to this request. If you have any questions concerning this request, please contact me at (202) XXX-XXXX.

Sincerely,

Your Name  
USDA, Office of Operations  
1400 Independence Ave, SW; Stop Code YYYY  
Washington, DC 20250

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